

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
Civil Action No. 3:22-cv-630-MOC-SCR

SARA BETH WILLIAMS, BRUCE )  
KANE, JASON YEPKO, GUN )  
OWNERS OF AMERICA, INC., )  
GUN OWNERS FOUNDATION, )  
GRASS ROOTS NORTH )  
CAROLINA, and RIGHTS WATCH )  
INTERNATIONAL, )

Plaintiffs, )

v. )

SHERIFF GARRY MCFADDEN, in )  
his official capacity as Sheriff of )  
Mecklenburg County, and the )  
MECKLENBURG COUNTY )  
SHERIFF'S OFFICE )

Defendants. )

**RESPONSE TO PLAINTIFFS'**  
**MOTION FOR RULING ON**  
**PLAINTIFFS' MOTION FOR**  
**PRELIMINARY INJUNCTION**  
**OR FOR STATUS**  
**CONFERENCE**

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While Plaintiffs' motion for ruling on Plaintiffs' motion for preliminary injunction or for status conference [Document 26] may be rendered moot by this Court's text order setting a June 22, 2023 hearing, Defendants are compelled to respond to Plaintiffs' motion and exhibit attached to the Motion [Document 26-1]

because both, once again, misstate the Sheriff's obligations under N.C.G.S. § 14-415(a).

Plaintiffs' suggestion that Defendants must issue or deny a CHP within forty-five days of receiving a CHP application misstates the law. This statute does not, as Plaintiffs contend, require any Sheriff in North Carolina to issue or deny a concealed handgun permit forty five days after application. [Document 26, p. 2]. N.C.G.S. § 14-415(a) states that "within 45 days after receipt of the items listed in GS 14-415.13 from an applicant, and receipt of the required records concerning the mental health or capacity of the applicant, the sheriff shall either issue or deny the permit." The forty-five-day period starts to run upon completion of a CHP application and "receipt of the required records concerning the mental health or capacity of the applicant." N.C.G.S. § 14-415.15(a).

Respectfully submitted this 7<sup>TH</sup> day of June, 2023.

/s/Sean F. Perrin

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/s/J. George Guise

J. George Guise

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